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Thomas
Turner/R5/USEPA/US
04/12/2007 05:21 PM

To
Subject Fw: Southeast Rockford Superfund Site - Innocent
Prospective Purchaser

FYI.

----- Forwarded by Thomas Turner/R5/USEPA/US on 04/12/2007 05:21 PM -----



"Diane Marchik "
<Dmarchik@gklaw.com>
04/12/2007 05:04 PM

To Thomas Turner/R5/USEPA/US@EPA
cc

Subject Southeast Rockford Superfund Site - Innocent Prospective
Purchaser

Mr. Turner:

Thank you for taking the time this afternoon to discuss the Southeast Rockford Superfund site and my client's potential acquisition of property located within that area. Specifically, as I explained, my client is interested in purchasing the former Rockwell Graphics site - which is adjacent to the former Rockford Varnish property. These two properties collectively comprise Source Area 11 of the Southeast Rockford Superfund site. As we discussed, my concern is that if my client purchases the property absent a "comfort letter" from U.S. EPA and IEPA, my client could be a target for the recovery of response costs related to the source removal work. (We have been advised that the current owner of the property, Mr. Steve Hall, participated in the groundwater settlement and it is my understanding that this protection would flow through to my client.)

As I mentioned, I briefly discussed the question of the issuance of "comfort letters" with Mr. Krueger several months ago and it was my understanding from talking to him that U.S. EPA is still willing to issue comfort letters in circumstances such as this where there are no other avenues of protection available. As I also stated, my client is prepared to cooperate fully with the cleanup efforts in terms of granting access, etc. to the property.

I would appreciate your feedback as soon as you have an opportunity to address this matter (my contact information appears below). I am hopeful that we will be able to arrive at a solution that provides the necessary protection to my client such that they can move forward with their plans for expanding their business and bringing new jobs to the community. Thank you in advance for your time and attention to this matter.

My contact information is as follows:

Diane M. Marchik
Godfrey & Kahn, S.C.
780 North Water Street
Milwaukee, WI 53024

Phone: 414.273.3500

Fax: 414.273.5198

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